



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/800,897	03/08/2001	Hiroyuki Goto	07906.0010	6808

22852 7590 02/13/2004

FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER  
LLP  
1300 I STREET, NW  
WASHINGTON, DC 20005

EXAMINER

CORSARO, NICK

ART UNIT	PAPER NUMBER
----------	--------------

2684

DATE MAILED: 02/13/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/800,897

Applicant(s)

GOTO, HIROYUKI

Examiner

Nick Corsaro

Art Unit

2684

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 08 March 2001.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 June 0201 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

**DETAILED ACTION**

***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-3, 13, and 14, are rejected under 35 U.S.C. 103(a) as being unpatentable over Giordano et al. (6,285,364) in view of Forlenzo et al. (6,377,821).

Consider claims 1 and 13, Giordano an apparatus and method inherently useable in a mobile communication terminal (see col. 2 lines 27-35, col. 3 lines 33-45, and col. 1 lines 47-57, where Giordano is discussing an internet telephone where the invention is directed toward small screen devices and state of the art mobile terminals are internet capable small screen devices). Giordano discloses a display for displaying first information indicating an essential occurrence of the mobile communication terminal and second information containing at least one of character information and image information in a first display mode (see abstract lines 1-9, col. 3 lines 60-65, col. 4 lines 33-40, col. 4 lines 55-67, and col. 5 lines 14-18, where Giordano is discussing that a menu screen is displayed for internet or other type function along with a telephone function screen that tells phone status, i.e., call receipt etc., upon an interrupt condition or mode). Giordano discloses the display for displaying the second information in a full screen size in a second display mode (see col. 4 lines 55-67, and col. 5 lines 1-13, where Giordano discusses that the internet screen occupies the full display upon a second condition of mode). Giordano discloses a notification unit for notifying the first information; and notification unit controller for

Art Unit: 2684

controlling the notification unit to notify the first information when a present display mode is switched to the second display mode (see col. 4 lines 33-67, col. 5 lines 1-64, where Giordano discusses that while in the second display mode, i.e., full display of data other than phone data an automatic or manual interrupt causes the phone information to be displayed on part of the screen).

Giordano discloses first information indicating an essential occurrence related to the phone, and second information not related to the phone occurrences, where logically phone related information could included phone condition (col. 4 lines 55-65, col. 5 lines 14-19, col. 3 lines 60-64, col. 4 lines 33-40, where Giordano discusses two display portions with contexts, one with phone related contexts the other with internet related contexts). Giordano however, does not specifically teach first information indicating a condition of the mobile communication terminal. Forlenzo teaches first information indicating a condition of the mobile communication device (see col. 4 lines 16-33, and col. 5 lines 10-32, where Giordano discusses a display that shows phone conditions only when those conditions are present).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Giordano, and have first information indicating a condition of the mobile communication device, as taught by Forlenzo, thus allowing condition of the phone to be displayed without increasing the size of the display, as discussed by Forlenzo (col. 1 lines 10-55).

Consider claims 2 and 14, Giordano does not specifically disclose the first information contains at least one of electric field strength and a battery energy remaining amount. Forlenzo teaches disclose the first information contains at least one of electric field strength and a battery

Art Unit: 2684

energy remaining amount (see col. 4 lines 16-33 and col. 5 lines 10-32). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Giordano, and have first information contains at least one of an electric field strength and a battery energy remaining amount, as taught by Forlenzo, thus allowing condition of the phone to be displayed without increasing the size of the display, as discussed by Forlenzo (col. 1 lines 10-55).

Consider claim 3, Giordano discloses the first information is for notifying call reception where LCD and LED are the only common technology used on displays (see col. 4 lines 55-67 and col. 5 lines 1-20). Giordano does not specifically disclose a light emitting diode (LED). Forlenzo teaches and LED (see col. 4 lines 48-67 and col. 6 lines 15-35). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Giordano, and LED, as taught by Forlenzo, thus allowing condition of the phone to be displayed without increasing the size of the display, as discussed by Forlenzo (col. 1 lines 10-55).

3. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Giordano in view of Forlenzo as applied to claims 1 and 13 above, and further in view of Hirai et al. (6,385,466).

Consider claim 5, Giordano and Forlenzo do not specifically disclose the notification unit is a back light of the display device; and the notification unit controller controls the notification unit to notify the first information using a turn-ON color of the back light. Hirai teaches the notification unit is a back light of the display device; and the notification unit controller controls the notification unit to notify the first information using a turn-ON color of the back light (see col. 5 lines 1-67 and col. 4 lines 1-67). It would have been obvious to one of ordinary skill in the

Art Unit: 2684

art at the time the invention was made to modify the invention of Giordano and Forlenzo, and have teaches the notification unit is a back light of the display device; and the notification unit controller controls the notification unit to notify the first information using a turn-ON color of the back light, as taught by Hirai, thus allowing the user to obtain required information easily on small size displays, as discussed by Hirai (col. 1 lines 43-55).

4. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Giordano in view of Forlenzo as applied to claims 1 and 13 above, and further in view of Hirai et al. (6,385,466) and Anderson et al. (6,330,461).

Consider claim 6, Giordano and Hirai do not specially disclose changing cooler of the buttons and backlight. Hirai teaches changing backlight colors (see col. 5 lines 1-67). Anderson discloses changing button colors (see col. 3 lines 1-67). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Giordano and Forlenzo, and change color of the buttons and backlight, as taught by Hirai and Anderson, thus allowing different method of indicating conditions.

5. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Giordano in view of Forlenzo as applied to claims 1 and 13 above, and further in view of Awan et al. (6,438,390).

Consider claim 7, Giordano discloses the invention as modified by Forlenzo, where condition of the phone is indicated. Giordano and Forlenzo do not specifically disclose also including a vibrator. Awan teaches a vibrator (see col. 4 lines 20-50). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Giordano and Forlenzo, and include a vibrator, as taught by Awan, thus allowing a combination of indicators, as discussed by Awan, (col. 1 lines 10-65).

Art Unit: 2684

6. Claims 4, 8-12, and 15-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Giordano in view of Forlenzo as applied to claims 1 and 13 above, and further in view of Moon et al. (6,211,858) and Awan et al. (6,438,390).

Consider claims 4, 8, 9, and, 15, Giordano discloses, the display as modified by Forlenzo above, where a display that cyclically shows other information along with current information on the display such that periodically the information is shown on the display or behind keys, and can be input by a programmable microprocessor via a user (see Giordano col. 4 lines 55-67 and col. 5 lines 1-67 and Forlenzo col. 4 lines 16-67, col. 5 lines 10-67). Giordano does not specifically disclose a periodical cyclical nature to set several of the indicators, such that shades of color are used in combinations. Moon shows a periodically cyclical nature (see col. 5 lines 40-65 and col. 6 lines 20-60). Awan discloses using shades of color are used in combinations with combined indicators (see col. 1 lines 10-65, col. 4 lines 7-51, col. 5 lines 10-55, and col. 6 lines 25-50). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Giordano and Forlenzo, and have a periodical cyclical nature, such that shades of color used in combination to with combined indicators, as taught by Moon and Awan, thus allowing different modes of condition indication.

Consider claims 10-12 and 16-18, Giordano discloses, the display as modified by Forlenzo above, where thus disclosing a display that shows other information along with current information on the display such that when a conditions changes a notification is sent, and further the notification can be input by a programmable microprocessor via a user, within the non use condition, a and deciding of the non use condition (see Giordano col. 4 lines 55-67 and col. 5 lines 1-67 and Forlenzo col. 4 lines 16-67, col. 5 lines 10-67). Giordano does not specifically

Art Unit: 2684

disclose a periodical cyclical nature programmable via periodic conditions to combine the indicators, such that setting occurs simultaneously to judge to mode of the display of combination. Moon shows a periodically cyclical nature that combines the indicators (see col. 5 lines 40-65 and co. 6 lines 20-60). Awan teaches setting occurs simultaneously to judge to mode of the display of combination (see col. 1 lines 10-65, col. 4 lines 7-51, col. 5 lines 10-55, and col. 6 lines 25-50). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Giordano and Forlenzo, and have a periodical cyclical nature, such that shades of color used in combination, as taught by Moon and Awan, thus allowing different modes of condition indication.

### ***Conclusion***

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

(4,975,694), McLaughlin discloses changing colors in LED's and backlighting.

Any inquiry concerning this communication should be directed to Nick Corsaro at telephone number (703) 306-5616.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nay Maung, can be reached at (703) 308-7745. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

Or faxed to:



Art Unit: 2684

(703) 872-9314 (for Technology center 2600 only)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth, Floor (Receptionist). Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 customer Service Office whose telephone number is (703) 306-0377.

Nick Corsaro

A handwritten signature in black ink, appearing to read "Nick Corsaro", with a long horizontal flourish extending to the right.